

United States District Court

FILED
IN CLERKS OFFICE

Joseph P. Schmitt, pro se
Plaintiff,

2007 JUL 23 A 11:57

v.

U.S. DISTRICT COURT
DISTRICT OF MASS.

2005-cv-10573-RWZ

MA. Dept. of Correction, et al.
Defendants

Plaintiff's Motion for Reconsideration

Now comes the pro se plaintiff and moves this Court for reconsideration of its July 10, 2007 order to dismiss the above-entitled action, and denial of other motions in this case.

As grounds thereof, plaintiff states the following.

1. The Court has erred by alleging that this action is based primarily on writings of sexually explicit stories. It should be noted in the formal record that such allegations by this Court has repeatedly been made, and as such plaintiff is unfairly prejudiced by the Court.
2. The action in question involves plaintiff's personal family photos, letters, typewriter and a variety of copy righted manuscripts. The court fails to mention this personal property for the most part while emphasizing sexually explicit stories.

3. Plaintiff has a constitutional right to have his personal property returned. It is a huge and sickening act of injustice for this Court to dismiss this case, thus allowing the pro se indigent plaintiff to be deprived his personal property over such weak reasons as the defendants have offered.
4. The sexually themed transcripts do not involve male youths as the defendants allege and this Court states in its order of July 10, 2007 page 2 of 3.
5. The defendants have lied and manipulated facts so badly that this Court is blinded to the truth and has made rulings in this case and others that are nothing short of bold injustice.
6. Plaintiff, as an unskilled litigant has provided this Court with sufficient evidence to prove that the defendants have his personal property and refuse to return it. Plaintiff has followed the PLRA as far as exhausting administrative remedies, over a years long period, and has been forced to file legal action to receive his due justice. Still this Court deems it just and fair to dismiss his case.
7. Plaintiff did not request summonses as this Court has claimed on page 2 of 3 of its July 10, 2007. The Court has further erred by claiming service is plaintiff's responsibility. Case law clearly states that it is the Court's responsibility to serve process upon all defendants when granting plaintiff leave in forma pauperis. See *Young v. Quinlan* 960 F.2d 351 (3rd Cir 1992); also *Noll v. Carlson*

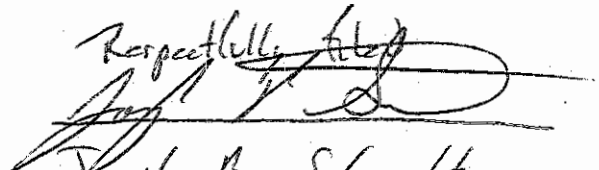
809 F.2d 1446 (9th Cir. 1997).

8. Even if plaintiff is wrong in the above paragraph, the following facts justify the granting of his previous motion for reconsideration denied by this court on July 10, 2007. Plaintiff refers the Court to motion docket numbers "9", "10", and "17". Plaintiff clearly tried to resolve the service problem, yet this Court denied his every motion.

9. To further support his motion for reconsideration as to the dismissal of defendants for lack of service, plaintiff submits a true copy of ten Process Receipt and Return, Form USM-285 which clearly indicate that the U.S. Marshal did receive the civil action and summons for the ten named defendants. Plaintiff, pursuant to case law, is not held liable for failure of U.S. Marshal to conduct service. See, Welch v. Folsom 925 F.2d at 670; Puett v. Blandford, 912 F.2d 270, 275 (9th Cir 1990); Fowler v. Jones 899 F.2d 1088, 1094 n. 5 (11th Cir 1990).

WHEREFORE, Plaintiff strongly states that this Court must reinstate this action and in doing so reinstate all the defendants previously dismissed for failure to conduct service and move this action to pre trial so as plaintiff can be afforded unbiased justice.

Dated: July 18, 2007

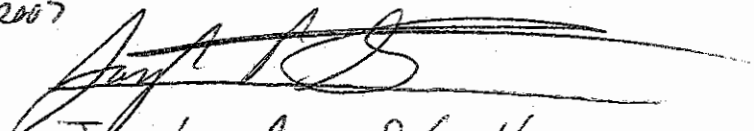
Respectfully,

Joseph P. Schmitt
Pro se Plaintiff
30 Administration Road
Bridgewater, Ma. 02324

Attachments: 10, FORM USM-285, (one per deft).

cc: Jody T. Adams, Esq.
JPS File

Certificate of Service

I hereby certify that a true copy of the above motion
was served upon Jody T. Adams, Esq via intra facility mail on or about
July 18, 2007


Joseph P. Schmitt
Pro se Plaintiff

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF Joseph P. Schmitt		COURT CASE NUMBER 05-10573-RWZ
DEFENDANT MA. Department of Correction		TYPE OF PROCESS Civil Rights Action
SERVE ➔	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN MA. Department of Correction	
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 50 Maple Street, Suite 3 Milford Massachusetts	
AT		

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Joseph P. Schmitt
30 Administration Road
Bridgewater, Massachusetts
02324-3230

Number of process to be served with this Form - 285	
Number of parties to be served in this case	10
Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):
Fold

Signature of Attorney or other Originator requesting service on behalf of: <i>[Signature]</i>	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER	DATE 4/21/06
--	---	------------------	------------------------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 38	District to Serve No. 38	Signature of Authorized USMS Deputy or Clerk <i>[Signature]</i>	Date 5/9/06
---	---------------------------	-------------------------------------	------------------------------------	--	-----------------------

I hereby certify and return that I ☒ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks". The process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above) Danielle Moreira / Confidential Secretary	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode. Date of Service 5/12/06 Time 14:15 pm Signature of U.S. Marshal or Deputy <i>[Signature]</i>
Address (complete only if different than shown above)	

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
-------------	---	----------------	---------------	------------------	--------------------------------	------------------

REMARKS: **Forwarded to USMS Worcester**

NOTE

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF Joseph P. Schmitt	COURT CASE NUMBER 05-10844-RWZ
DEFENDANT Michael T. Maloney	TYPE OF PROCESS Civil Rights Action
SERVE ➔	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN 70 FRANKLIN ST. MA. Corr. Dept. Legal Division
AT	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 70 Franklin Street, Suite 600 Boston Massachusetts

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Joseph P. Schmitt
30 Administration Road
Bridgewater, Massachusetts
02324-3230

Number of process to be
served with this Form - 285Number of parties to be
served in this case

10

Check for service
on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold

Fold

Signature of Attorney or other Originator requesting service on behalf of:

☒ PLAINTIFF☐ DEFENDANT

TELEPHONE NUMBER

DATE

4/21/06

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 38	District to Serve No. 38	Signature of Authorized USMS Deputy or Clerk <i>[Signature]</i>	Date 5/9/06
---	--------------------	------------------------------	-----------------------------	--	----------------

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks" the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service
10/30/06
Time
2:15 pmSignature of U.S. Marshal or Deputy
[Signature]


Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
-------------	--	----------------	---------------	------------------	--------------------------------	------------------

REMARKS:

Does not work there - no longer

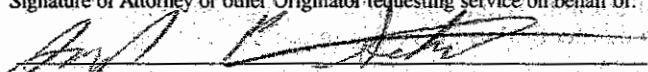
NOTE

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.


PLAINTIFF Joseph P. Schmitt	COURT CASE NUMBER 05-10183-RWZ
DEFENDANT Peter Allen	TYPE OF PROCESS Civil Action
SERVE  NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN AT MA. Dept. of Corr. Legal Department ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 70 Franklin Street, Suite 600, Boston, Massachusetts	

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW: Joseph P. Schmitt 30 Administration Road Bridgewater, Massachusetts 02324-3230	Number of process to be served with this Form - 285	
	Number of parties to be served in this case	10
	Check for service on U.S.A.	

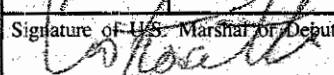
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):
Fold

Signature of Attorney or other Originator requesting service on behalf of: 	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER	DATE 4/21/06
--	---	------------------	------------------------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 38	District to Serve No. 38	Signature of Authorized USMS Deputy or Clerk 	Date 5/9/06
---	---------------------------	-------------------------------------	------------------------------------	--	-----------------------

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks" the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc. shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
Address (complete only if different than shown above)	Date of Service 7/30 Time 3:15 am Signature of U.S. Marshal or Deputy 

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
-------------	---	----------------	---------------	------------------	--------------------------------	------------------

REMARKS:

Does not ~~too~~ work there any longer**NOTE**

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF Joseph P. Schmitt	COURT CASE NUMBER 05-10573-RWZ
DEFENDANT William Grossi	TYPE OF PROCESS Civil Rights Action
SERVE ➡	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN MCI-Cedar Junction
AT	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) Walpole, Massachusetts

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Joseph P. Schmitt
30 Administration Road
Bridgewater, Massachusetts
02324-3230

Number of process to be
served with this Form - 285Number of parties to be
served in this case

10

Check for service
on U.S.A.SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All
Telephone Numbers, and Estimated Times Available For Service):

Fold

Fold

If not servable at the above address then serve at
Ma. Dept. of Corr. Legal Division 70 Franklin Street
Suite 600, Boston, Massachusetts

Signature of Attorney or other Originator requesting service on behalf of:

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

DATE

4/21/06

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin 38 No.	District to Serve 38 No.	Signature of Authorized USMS Deputy or Clerk <i>Kathy Jalavala</i>	Date 5/9/06
---	--------------------	------------------------------------	-----------------------------------	---	----------------

I hereby certify and return that I ☒ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described
on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and dis-
cretion then residing in the defendant's
usual place of abode.

Address (complete only if different than shown above)

Date of Service

Time

am

1/31/07 1610

pm

Signature of U.S. Marshal or Deputy

Service Fee 45	Total Mileage Charges (including endeavors) 18.43	Forwarding Fee	Total Charges 63.43	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
-------------------	---	----------------	------------------------	------------------	--------------------------------	------------------

REMARKS:

1 DUSM, 1 HR

Served in hand

NOTEPRIOR EDITIONS
MAY BE USED

3. NOTICE OF SERVICE

FORM USM-285 (Rev. 12/15/80)

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF Joseph P. Schmitt	COURT CASE NUMBER 05-10573-RWZ
DEFENDANT Carter Thomas	TYPE OF PROCESS Civil Rights Action


SERVE ➡ AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN MCI-Cedar Junction
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) Walpole, Massachusetts

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW: Joseph P. Schmitt 30 Administration Road Bridgewater, Massachusetts 02324-3230	Number of process to be served with this Form - 285	
	Number of parties to be served in this case	10
	Check for service on U.S.A.	

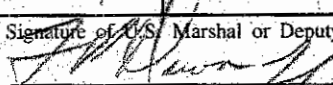
SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):
FoldIf unservable at the above address then please serve at
MA, Dept. of Corr. Legal Division 70 Franklin Street, suite 600
Boston, Massachusetts

Signature of Attorney or other Originator requesting service on behalf of: 	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 3	DATE 4/21/06
---	---	------------------------------	------------------------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 38	District to Serve No. 38	Signature of Authorized USMS Deputy or Clerk 	Date 5/4/06
---	---------------------------	-------------------------------------	------------------------------------	--	-----------------------

I hereby certify and return that ☐ I have personally served, ☒ I have legal evidence of service, ☐ I have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above) Cheryl Maher (Carm Legal Dec Ct)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
Address (complete only if different than shown above)	Date of Service 1/11/07
	Time 12:45 pm
	Signature of U.S. Marshal or Deputy 

Service Fee \$45	Total Mileage Charges (including endeavors) \$45	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or \$45	Amount of Refund
----------------------------	--	----------------	---------------	------------------	---	------------------

REMARKS:

05-10573
285**NOTE**

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF Joseph P. Schmitt	COURT CASE NUMBER 05-10573
DEFENDANT Jeffrey Smith	TYPE OF PROCESS Civil Rights Action
SERVE ➔ AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN SCI-CEDAR JUNCTION
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) WALPOLE MASSACHUSETTS

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Joseph P. Schmitt
30 Administration Road
Bridgewater, Massachusetts
02324-3230

Number of process to be served with this Form - 285

Number of parties to be served in this case

10

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold

Fold

If unservable at the above address serve at
MA. Dept. of Corr. Legal Division
70 Franklin Street, suite 600
Boston, Massachusetts

Signature of Attorney or other Originator requesting service on behalf of:

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

DATE

4/21/06

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 20 1	District of Origin No. 38	District to Serve No. 38	Signature of Authorized USMS Deputy or Clerk <i>Harold J. [illegible]</i>	Date 5/9/06
---	--------------------------	------------------------------	-----------------------------	--	----------------

I hereby certify and return that I ☐ have personally served, ☒ have legal evidence of service, ☐ have executed as shown in "Remarks" the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

Charles J. [illegible] (DC 05 [illegible])

Address (complete only if different than shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Date of Service

Time

am

Signature of U.S. Marshal or Deputy

Service Fee 415	Total Mileage Charges (including endeavors) 488	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
--------------------	--	----------------	---------------	------------------	--------------------------------	------------------

REMARKS:

05-10573
285

NOTE

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**

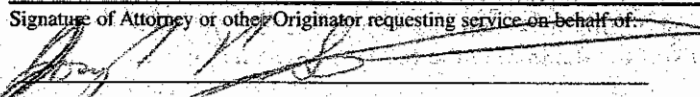
See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF Joseph P. Schmitt	COURT CASE NUMBER 05-10573-RWZ
DEFENDANT Patrick Mulvey	TYPE OF PROCESS Civil Rights action
SERVE ➔ AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN MCI-Cedar Junction ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) Walpole, Massachusetts

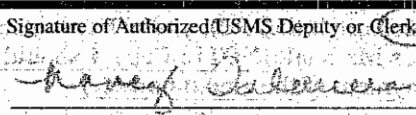
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW: Joseph P. Schmitt 30 Administration Road Bridgewater, Massachusetts 02324-3230	Number of process to be served with this Form - 285	
	Number of parties to be served in this case	00
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

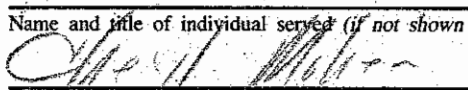
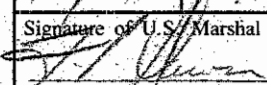
If unservable at the above address serve at MA. Dept of Corr. Legal Division 70 Franklin Street, Boston Massachusetts

Signature of Attorney or other Originator requesting service on behalf of: 	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 617-452-1111	DATE 4/21/06
---	---	---	------------------------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 38	District to Serve No. 38	Signature of Authorized USMS Deputy or Clerk 	Date 5/19/06
---	---------------------------	-------------------------------------	------------------------------------	--	------------------------

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)  Doc. of T. Mulvey	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
Address (complete only if different than shown above) 1700 015 1111	Date of Service 1/19/07
	Time 12:45 pm
	Signature of U.S. Marshal or Deputy 

Service Fee 445	Total Mileage Charges (including endeavors) 118	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
---------------------------	---	----------------	---------------	------------------	--------------------------------	------------------

REMARKS:

05-10573-285**NOTE**

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF Joseph P. Schmitt	COURT CASE NUMBER 05-10573-RWZ
DEFENDANT David Nolan	TYPE OF PROCESS Civil Rights Action
SERVE ➔ AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN David Nolan ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) MCI-Cedar Junction Walpole, Massachusetts

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW: Joseph P. Schmitt 30 Administration Road Bridgewater, Massachusetts 02324-3230	Number of process to be served with this Form - 285 Number of parties to be served in this case 10 Check for service on U.S.A.
--	--

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):
Fold

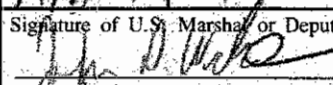
If this person is not available at the above address then serve this complaint to MA. Department of Correction Legal Division at 70 Franklin Street, Suite 600, Boston Massachusetts

Signature of Attorney or other Originator requesting service on behalf of: 	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 11	DATE 4/21/06
---	---	-------------------------------	------------------------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 38	District to Serve No. 38	Signature of Authorized USMS Deputy or Clerk 	Date 5/9/06
---	---------------------------	-------------------------------------	------------------------------------	--	-----------------------

I hereby certify and return that I ☒ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.					
Address (complete only if different than shown above) Nolan Served @ MA DOC HQ 50 Maple St Malden, MA 02151	Date of Service 11/21/07 Time 1410 am Signature of U.S. Marshal or Deputy 					
Service Fee 45	Total Mileage Charges (including endeavors) 45	Forwarding Fee	Total Charges 45	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund

REMARKS:

1 Dism, 1 hr
25 miles

NOTE

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF

Joseph P. Schmitt

COURT CASE NUMBER

05-10573-RWZ

DEFENDANT

Steven Kennedy

TYPE OF PROCESS

Civil Rights Action**SERVE**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

Bridgewater State Hospital

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

Bridgewater, Massachusetts**AT**

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

**Joseph P. Schmitt
30 Administration Road
Bridgewater, Massachusetts
02324-3230**Number of process to be
served with this Form - 285Number of parties to be
served in this case**10**Check for service
on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold

Fold

If this defendant can not be served at the above address then serve
at Ma. Dept. of Corr. Legal Division 70 Franklin Street, Suite 600
Boston Massachusetts

Signature of Attorney or other Originator requesting service on behalf of:

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

DATE

4/21/06**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE**I acknowledge receipt for the total
number of process indicated.
(Sign only first USM 285 if more
than one USM 285 is submitted)

Total Process

1District
of Origin
No. **38**District
to Serve
No. **38**

Signature of Authorized USMS Deputy or Clerk

Robert J. Salazar

Date

5/9/06I hereby certify and return that I ☐ have personally served; ☐ have legal evidence of service; ☐ have executed as shown in "Remarks"; the process described
on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

Address (complete only if different than shown above)

☒ A person of suitable age and dis-
cretion then residing in the defendant's
usual place of abode.

Date of Service

Time

5/12/06

am

pm

Signature of U.S. Marshal or Deputy

Robert J. Salazar

Service Fee

Total Mileage Charges
(including endeavors)

Forwarding Fee

Total Charges

Advance Deposits

Amount owed to U.S. Marshal or

Amount of Refund

90.00**20.44****-****110.44**

REMARKS:

**STEVEN KENNEDY will not be available
for two weeks from service DATE****NOTE**

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF Joseph P. Schmitt		COURT CASE NUMBER 05-10573-RWZ
DEFENDANT Kathleen Dennehy		TYPE OF PROCESS Civil Rights Action
SERVE ➔ AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Ma. Department of Correction	
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 50 Maple Street, Suite 3 Milford Massachusetts	

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:		Number of process to be served with this Form - 285	
Joseph P. Schmitt 30 Administration Road Bridgewater, Massachusetts 02324-3230		Number of parties to be served in this case	10
		Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):
Fold

If not servable at the ABOVE ADDRESS PLEASE SERVE AT Ma. Dept. of Corr. Legal Division 70 Franklin Street, Suite 600 Boston Massachusetts

Signature of Attorney or other Originator requesting service on behalf of: <i>[Signature]</i>	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER	DATE 4/21/06
--	---	------------------	------------------------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 38	District to Serve No. 38	Signature of Authorized USMS Deputy or Clerk <i>[Signature]</i>	Date 5/9/06
---	---------------------------	-------------------------------------	------------------------------------	--	-----------------------

I hereby certify and return that ☒ I have personally served, ☐ I have legal evidence of service, ☐ I have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above) Daniel Moreira / Confidential Secretary	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.	
Address (complete only if different than shown above)	Date of Service 5/12/06	Time 1:15 pm
Signature of U.S. Marshal or Deputy <i>[Signature]</i>		

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
-------------	---	----------------	---------------	------------------	--------------------------------	------------------

REMARKS:

NOTE